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April 27, 2021

VIA T/C [google-legal-support@google.com]  
Molly O'Neill, Esq.  
1900 Amphitheatre Parkway  
Mountainview, CA 94043

**Re: Kashmir Gill v. JUS Broadcasting Corp., et al.**  
1:19-cv-04216 (ILG) (PK)

Dear Ms. O'Neill:

I represent defendants in the above-entitled litigation.

I now have possession of document 111-1, which is entitled "Order Regarding Non-Production of Documents." An exact copy of the order is enclosed.

I obviously cannot interpret the order for Google insofar as it applies to Google. I do note that §4 and §5, to the extent they mention me by name, are clear and I will of course immediately comply as soon as Google does.

In compliance with ¶4 of the enclosed Order, my office address and e-mail address are as stated above.

Sincerely yours,



Paul Batista

PB/wg

cc: Hon. Peggy Kuo  
Alan Ackerman, Esq.  
Ms. Penny Sandhu

Encl.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KASHMIR GILL,

Plaintiff,

-against-

JUS BROADCASTING CORP, JUS PUNJABI,  
LLC, JUS ONE, CORP., JUS BROADCASTING  
CORP PVT LTD, AND PENNY SANDHU,  
Defendants.

**ORDER REGARDING NON-  
PRODUCTION OF DOCUMENTS**

**19-cv-04216 (ILG) (PK)**

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Before the Court is the parties' joint motion for production of certain communications by Google Inc. ("Google"). Having heard the parties and considered their submissions, the Court FINDS and ORDERS as follows:

1. In an email communication dated February 23, 2021 to attorney Alan Ackerman, Molly O'Neil stated, "I want to flag that it does not appear that kashmirgill@jusbroadcasting.com currently exists in our systems. As such, we would not have any content data to produce for that account." She further stated, "We are looking into why we are unable to locate the kashmirgill@jusbroadcasting.com account. If we determine that we do have responsive records, we can work with you to add kashmirgill@jusbroadcasting.com to the order [requesting production of documents]."
2. In a further email communication dated March 29, 2021 to Mr. Ackerman, Ms. O'Neil stated that the kashmirgill@jusbroadcasting.com account "no longer appears to exist in our systems."
3. The Court directs **Google** to provide a sworn affidavit, no later than **May 12, 2021**, stating the basis for its conclusion that the kashmirgill@jusbroadcasting.com account no longer appears to exist in its systems. If the account was deleted, Google shall state when such

deletion occurred and the circumstances under which it was deleted. If emails associated with the account were deleted on different dates, Google shall state what those dates were. If the account is located by May 12, 2021, Google shall state the procedures necessary to produce emails associated with the account.

4. Google is directed to send the affidavit to **Paul A. Batista, Esq.**, counsel for Penny Sandhu, the registered administrator for the G Suite domain [jusbroadcasting.com](mailto:jusbroadcasting.com).
5. **Paul A. Batista**, is ordered to provide a copy of this Order to Google no later than **April 28, 2021, including an address or email address where the affidavit shall be sent.** Upon receipt of the affidavit from Google, Mr. Batista is ordered to file it with the Court **immediately.**

SO ORDERED:

*Peggy Kuo*

PEGGY KUO

United States Magistrate Judge

Dated: Brooklyn, New York  
April 25, 2021